IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN INSOLVENCY

PETITION NO.82 OF 2005

Re: M/s.Eximp International India & ors... Debtors

Exparte:

INDUSIND Bank Ltd. ..Petitioning Creditor

Debtors absent though served.

Mr.Kishore Jain for petg. creditor.

CORAM : ANOOP V. MOHTA,J.

DATED : 3rd April, 2007

P.C.

The petition is based on the judgment and decree dated 27th September 2002 and the recovery certificate dated 26.10.2002 passed by the Debt Recovery Tribunal II,Mumbai between the parties. All the procedural requirements as contemplated under the Presidency Town Insolvency Act, 1909 have been complied with. By an order dated 15.2.2005 the notice of motion for setting aside insolvency notice was also rejected. Considering the averments in the affidavit filed by the petitioning creditor, I am inclined to grant prayers (a) and (b).

2. Petition is accordingly made absolute in terms of prayers (a) and (b) which reads thus:

(a) An order of adjudication be passed by

this Hon'ble Court against the Debtors abovenamed.

(b) for costs of this petition and costs incidental and consequential thereto.

3. Official Assignee and the Insolvency Registrar to take necessary steps in accordance with law.

[ANOOP V. MOHTA,J.]